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March 1, 2023

**VIA ECF AND E-MAIL**

Hon. Andrew L. Carter Jr.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 435  
New York, NY 10007  
ALCarterNYSDChambers@nysd.uscourts.gov

**Re: *Cullins v. 156 Fifth Avenue Corp. et al.*,  
Civil Action No.: 1:22-cv-10288-ALC**

Dear Judge Carter:

This firm represents Defendant Nike Retail Services, Inc. (“Nike”). We write, jointly with Defendant 156 Fifth Avenue Corp. (“156 Fifth”) (collectively, “Defendants”), and with Plaintiff’s consent, to respectfully request a 30-day extension of the current March 6, 2023 deadline for Defendants to respond to the Complaint, up to and including April 5, 2023. This letter is the third request for an extension of this deadline.

By way of background, Plaintiff filed the Complaint on or about December 5, 2022. (ECF No. 1.) On December 30, 2022 and January 3, 2023, Nike and 156 Fifth respectively requested extensions of their responsive pleading deadlines, up to and including February 3, 2023. (ECF Nos. 10 and 11.) The Court granted both extension requests on January 3, 2023. (ECF Nos. 13 and 14.) On February 1, 2023, Defendants requested a further 30-day extension of their responsive pleading deadlines, up to and including March 6, 2023. (ECF No. 16.) The Court granted the extension request on February 2, 2023. (ECF No. 18.)

Defendants have since had the opportunity to review the applicable lease documents, and Nike will be assuming the defense of 156 Fifth. As such, additional time is required for this office to substitute as counsel for 156 Fifth, and for Defendants to prepare their respective responses to the Complaint. Defendants do not anticipate requesting a further extension of this deadline absent an emergency.

The undersigned has conferred with counsel for Plaintiff, who consents to this request. This application is being made in good faith and not to cause undue delay, and the requested extension will not affect any other scheduled dates.



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We thank the Court for its time and attention in this matter, and for its consideration of this application.

Respectfully submitted,

SEYFARTH SHAW LLP

*/s/ John W. Egan*

John W. Egan

cc: All counsel of record (via ECF)